

REMARKS

The Applicants respectfully request reconsideration in view of the following remarks. No claims have been amended. Claim 29 was previously cancelled. No claims have been added. Accordingly, claims 1-28 are pending in the Application.

I. Claim Rejections – 35 U.S.C. §103

Claims 1-12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 7,249,044 issued to Kumar (hereinafter “Kumar”) in view of U.S. Patent No. 7,281,046 issued to Sunderasan *et al.* (hereinafter “Sunderasan”).

Claim 13 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Kumar in view of Sunderasan, as applied to claim 1 above, and further in view of U.S. Patent No. 5,649,103 issued to Datta *et al.* (hereinafter “Datta”).

Claims 14 and 15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kumar in view of Sunderasan.

Claims 16-18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kumar, as applied to claim 14 above, in view of Sunderasan and further in view of Datta.

Claim 19 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Kumar in view of Sunderasan.

Claims 20-24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kumar in view of Datta and further in view of Sunderasan.

Claims 25-28 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kumar in view of Datta and further in view of Sunderasan.

To determine obviousness of a claim: (1) factual findings must be made under the factors set forth in Graham v. John Deere Co., 383 U.S. 1, 148 USPQ 459 (1966); and (2) the analysis supporting the rejection under 35 U.S.C. § 103 should be made explicit and there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness. See MPEP §§ 2141(II), 2141(III), and 2142; KSR International Co. v. Teleflex Inc., 82 USPQ2d 1385, 1396; see e.g., MPEP § 2143 (providing a number of rationales which are consistent with the proper “functional approach” to the determination of obviousness as laid down in Graham). voice

With respect to claim 1, this claim recites “receiving a request for an item from a customer data processing system at a central data processing system, wherein the request includes an item identifier associated with the item; generating a plurality of sub-requests for sub-items of the item, each of the sub-items are mapped to the item based on the item identifier and sub-item identifiers associated with the sub-items” (emphasis added). The Applicants respectfully submit that the combination of Kumar and Sunderasan fails to teach or suggest these elements of claim 1.

In rejecting claim 1, the Examiner cited numerous sections of Kumar to allegedly disclose “generating a plurality of sub-requests for sub-items of the item, each of the sub-items are mapped to the item based on the item identifier and sub-item identifiers associated with the sub-items” as recited in claim 1. See Final Office Action, Page 3. However, the Examiner does not provide any explanation as to the relevance of the cited sections of Kumar. Rather, this is left as an exercise for the reader. After reviewing the cited sections of Kumar the Applicants have been unable to determine what portions of Kumar the Examiner alleges teach or suggest mapping sub-items to items based on an item identifier and sub-item identifiers.

Kumar discloses a system in which clients submit requests for products to a fulfillment server. See Kumar, Column 4, Line 42 through Column 5, Line 3. The requests include line-items which pertain to the products requested by the clients. See Id. Sub-requests may subsequently be generated for the products associated with each line-item. See Id. However, Kumar fails to disclose “generating a plurality of sub-requests for sub-items of the item, each of the sub-items are mapped to the item based on the item identifier and sub-item identifiers associated with the sub-items,” because the line-items of Kumar are not mapped to sub-items based on identifiers associated with the line-items such that sub-requests for these mapped sub-items can be generated. See Id. Instead, the line-items form the basis for the sub-requests without being mapped to sub-items with associated identifiers. See Id. Therefore, Kumar fails to disclose the cited elements of amended claim 1, because line-items are not mapped to sub-items based on associated identifiers.

The only portion of Kumar that discloses mapping items is related to mapping items to suppliers. Specifically, requested items are mapped to potential suppliers of these items. See Kumar, Column 15, Lines 46-57. However, mapping requested items to suppliers is not

equivalent to mapping sub-items to requested items, because the mapping of Kumar does not involve a mapping between items within a hierarchy of items. Additionally, Kumar does not disclose that the mapping is implemented using identifiers, because Kumar is silent as to using identifiers to map requested items.

Additionally, Sunderasan fails to cure the deficiencies of Kumar. Sunderasan discloses a system and method for providing communications between network service providers. See Sunderasan, Column 2, Lines 19-35. In Sunderasan, a service provider may transmit a request for resources to another service provider. See Id. The request is comprised of one or more sub-requests for the resources. See Sunderasan, Column 2, Lines 55-59. However, similar to Kumar, Sunderasan fails to disclose “generating a plurality of sub-requests for sub-items of the item, each of the sub-items are mapped to the item based on the item identifier and sub-item identifiers associated with the sub-items,” because the requested resources of Sunderasan are not mapped to other sub-items/resources based on identifiers associated with the requested resources such that sub-requests for mapped sub-items can be generated. See Id. Instead, the originally requested resources form the basis for the sub-requests without being mapped to sub-items with an identifier. See Id. Therefore, Sunderasan fails to cure the deficiencies of Kumar, because requested resources are not mapped to sub-items based on associated identifiers.

Further, in rejecting claim 1, the Examiner has also cited M.P.E.P. §§ 2141.01(a) and 2144.04(VI) to support the alleged obviousness of the elements of “generating a plurality of sub-requests for sub-items of the item, each of the sub-items are mapped to the item based on the item identifier and sub-item identifiers associated with the sub-items” as recited in claim 1. See Final Office Action, Page 3. However, the Examiner has not provided a clear argument regarding how these sections of the M.P.E.P. are relevant to establishing a *prima facie* case of obviousness based on the combination of Kumar and Sunderasan. M.P.E.P. § 2141.01(a) discusses how to determine analogous and non-analogous art and M.P.E.P. § 2144.04(VI) discusses reversal, duplication, or rearrangement of parts for supporting a finding of obviousness under 35 U.S.C. § 103. It is not readily apparent how these sections are relevant to the Examiner’s argument and as mentioned above the Examiner has not provided an explanation of their relevance. Thus, the Examiner has failed to provide clearly articulated reasoning with some rational underpinning to support the legal conclusion of obviousness as required by the court in

KSR International Co. v. Teleflex Inc., 82 USPQ2d 1385, 1396, because the cited sections of the Kumar, Sunderasan and the M.P.E.P. do not establish a *prima facie* case of obviousness on their face and the Examiner has not provided an explanation as to how these references establish a *prima facie* case of obviousness.

Based on at least the reasons discussed above, the Applicants submit that the Examiner has failed to establish a *prima facie* case of obviousness of claim 1 in view of the combination of Kumar and Sunderasan. Accordingly, the Applicants respectfully request reconsideration and withdrawal of the rejection of claim 1.

With respect to the rejections of claims 14 and 19, these claims include elements analogous to those of claim 1. The Examiner has provided the same basis for rejecting these claims as was provided for claim 1. For at least the same reasons discussed above in regards to claim 1, the combination of Kumar and Sunderasan does not teach or suggest each element of claims 14 and 19. Accordingly, the Applicants respectfully request reconsideration and withdrawal of the rejection of these claims.

With respect to the rejections of claims 2-13 and 15-18, these claims depend from independent claims 1 and 14, respectively, and incorporate the limitations thereof. The Examiner's argument assumes that the combination of Kumar and Sunderasan discloses all elements of claims 1 and 14 which are incorporated in dependent claims 2-13 and 15-18. However, as discussed above, the combination of Kumar and Sunderasan does not disclose all the limitations of claims 1 and 14. Therefore, claims 2-13 and 15-18 are not taught or suggested by the cited references. Accordingly, the Applicants respectfully request reconsideration and withdrawal of the rejection of these claims.

With respect to the rejections of claims 20 and 25, these claims recite elements analogous to those of claim 1. The Examiner has provided the same basis for rejecting these claims as was provided for claim 1. For the at least the same reasons discussed above in regards to claim 1, the combination of Kumar and Sunderasan does not teach or suggest each element of claims 20 and 25. Further, the Examiner has not cited and the Applicants have been unable to locate any sections of Datta that cure the deficiencies of the combination of Kumar and Sunderasan. Thus, the combination of Kumar, Sunderasan and Datta fails to teach or suggest each element of claims

20 and 25. Accordingly, the Applicants respectfully request reconsideration and withdrawal of the rejection of these claims.

With respect to the rejections of claims 21-24 and 26-28, these claims depend from independent claims 20 and 25, respectively, and incorporate the limitations thereof. The Examiner's argument assumes that the combination of Kumar, Sunderasan and Datta discloses all elements of claims 20 and 25 which are incorporated in dependent claims 21-24, and 26-28. However, as discussed above, the combination of Kumar, Sunderasan and Datta does not disclose all the limitations of claims 20 and 25. Therefore, claims 21-24, and 26-28 are not taught or suggested by the cited references. Accordingly, the Applicants respectfully request reconsideration and withdrawal of the rejection of these claims.

CONCLUSION

In view of the foregoing, it is believed that all claims now pending are now in condition for allowance and such action is earnestly solicited at the earliest possible date. If there are any additional fees due in connection with the filing of this response, please charge those fees to our Deposit Account No. 02-2666. Questions regarding this matter should be directed to the undersigned at (310) 207-3800.

Respectfully submitted,

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CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being submitted electronically via EFS Web to the United States Patent and Trademark Office on the date noted below.



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Date